

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Atty. Dkt.: 4230-7

Date: October 20 2003

031088 U.S. PTO
10/687816
102003

Sir:

Attached for filing is the patent application of:

Inventor: Lerner

Entitled: METHOD AND DEVICE FOR ENHANCED DELIVERY OF A BIOLOGICALLY ACTIVE AGENT
THROUGH THE SPINAL SPACES INTO THE CENTRAL NERVOUS SYSTEM OF A MAMMAL

and including attachments as noted below:

☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract

25 pages of specification and claims (including 12 numbered claims), and

4 sheets of accompanying drawing/s.

☐ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number**Country****Day/Month/Year Filed**

, respectively, the entire content of which is hereby incorporated by reference in this application..

☐ Certified copy(ies) of foreign application(s) is/are attached.

☐ Certified copy(ies) filed on _____ in prior appln. no. _____

filed _____

☐ This application claims the benefit of Provisional Application No. _____, filed _____, the entire content of which is hereby incorporated by reference in this application.

☒ This application is a ☐ continuation/☒ division/☐ continuation-in-part of Application No. 10/050,183, filed January 18, 2002, which in turn is a continuation-in-part of Application Serial No. 09/197,133 filed November 20, 1999, now U.S. Patent 6,410,046; a continuation-in-part of Application No. 09/077,123 filed May 20, 1998 or PCT/EP96/05086 of November, 1995, the entire content of which is hereby incorporated by reference in this application.

☒ The prior application is assigned to Intrabrain International NV, Curacao, Netherland Antilles.

☒ It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached.

☒ Applicant claims "small entity" status. ☐ "Small entity" statement attached.

☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

☒ Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other:

FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HEREWITH CANCELED

Basic Filing Fee				\$	770.00
Total effective claims	8	- 20 (at least 20) =	0	x \$ 18.00	\$ 0.00
Independent claims	2	- 3 (at least 3) =	0	x \$ 86.00	\$ 0.00
If any proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)				\$	0.00
				SUBTOTAL	\$ 770.00
If "small entity," then enter half (1/2) of subtotal and subtract				-\$	(385.00)
				SECOND SUBTOTAL	\$ 385.00
Assignment Recording Fee (\$40.00)				\$	0.00
				TOTAL FEE ENCLOSED	\$ 385.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**.

A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.

By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: _____

